



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John G. Aceti, Marvin A. Leedom, Frederick Fritz, Derek D. Mahoney, John M. Margicin, Walter P. Sjursen, Michael H. Tardugno and David A. Preves

Application No.: 09/524,666 Group: 2614

Filed: March 13, 2000 Examiner: Dabney, P. L.

Confirmation No.: 6745

For: DISPOSABLE MODULAR HEARING AID

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>12/06/2006</u>	<u>m</u>
Date	Signature
<u>Meredith Murray</u>	
Typed or printed name of person signing certificate	

REQUEST TO WITHDRAW HOLDING OF ABANDONMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attention: Group Director

Sir:

A Notice of Abandonment of the above-referenced patent application was mailed from the U.S. Patent and Trademark Office on November 28, 2006. The Notice indicates that the subject application is abandoned in view of Applicants' failure to respond to the Restriction Requirement mailed on March 9, 2006. Applicants are responding herewith in accordance with MPEP 711.03.

As evidenced by the enclosed copy of the Auto-Reply Facsimile Transmission which was sent from the U.S. Patent and Trademark Office, a Reply to the Restriction Requirement, a Petition for Extension of Time by five months and the accompanying fee was submitted with the U.S. Patent and Trademark Office on September 11, 2006.

For the convenience of the Examiner, a copy of the complete response, as filed, is enclosed in the event that the originally filed documents cannot be located.

Applicants' Attorney submits that the Notice was issued in error, and hereby requests that a Withdrawal of Abandonment be issued and the instant application be returned to pending status.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Kevin T. Shaughnessy
Kevin T. Shaughnessy
Registration No. 51,014
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: 12/6/06